

Attorney Docket No. 5576-126

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Yasumitsu Ito  
Serial No.: 09/884,002  
Filed: June 18, 2001  
For: FUEL CELL

Group Art Unit: 1745

Date: August 17, 2001

BOX MISSING PARTS  
Commissioner for Patents  
Washington, DC 20231

**SUBMITTAL OF DECLARATION  
UNDER 37 C.F.R. § 1.63**

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application" dated August 13, 2001, enclosed is a Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor.

A check in the amount of \$130.00 is also enclosed to cover the surcharge under 37 C.F.R. § 1.16(e).

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Respectfully submitted,

Robert J. Smith  
Registration No. 40,820

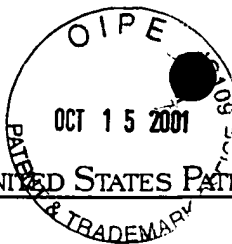


**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on October 11, 2001.

Susan E. Freedman

Date of Signature: October 11, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/884,002	06/18/2001	Yasumitsu Ito	5576-126

20792  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

CONFIRMATION NO. 3393

## FORMALITIES LETTER



\*OC000000006417686\*

Repln. Ref: 12/13/2001 ETULU1 0007490600  
DAI: 500220 Name/Number: 09884002  
FC: 704 \$130.00 CR

Date Mailed: 08/13/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

~~Adjustment date: 12/13/2001 ETULU1~~  
~~10/17/2001 BNGUYEN1 00000064 09884002~~  
~~01 FC:105 130.00 CR~~

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

~~10/17/2001 BNGUYEN1 00000064 09884002~~

~~01 FC:105~~

~~130.00 CR~~